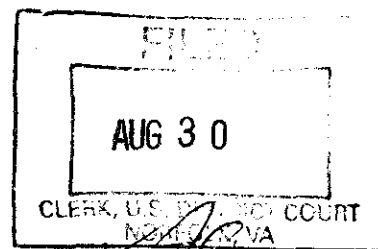


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION



DAVID C. EGGLETON,

PLAINTIFF,

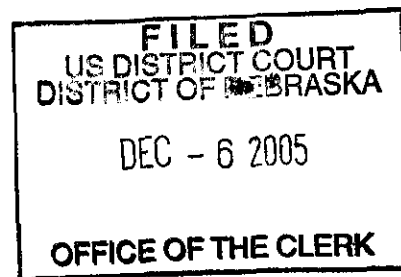
v.

8:05CV326
CIVIL ACTION No.: 2:05CV326

PLASSER & THEURER EXPORT
VON BAHNBAUMASCHINEN
GESELLSCHAFT, MBH

and

FRANZ PLASSER BAHNBAUMASCHINEN
INDUSTRIEGESELLSCHAFT, MBH



DEFENDANTS.

ORDER

This matter is before the Court on the Motion of Plasser & Theurer Export Von Bahnbaumaschinen Gesallschaft, MBH ["Plasser & Theurer"] and Franz Plasser Bahnbaumaschinen Industriegesellschaft, MBH ["Franz Plasser"] [together, "Defendants"] to Dismiss for Lack of Personal Jurisdiction. (Doc. 3.) Defendants filed their Motion on June 9, 2005. Plaintiff filed a Motion for Leave to Conduct Jurisdictional Discovery (Doc. 5) and a Combined Brief in Support Thereof and in Opposition to Dismissal (Doc. 6) on June 20, 2005. The motions of both Defendants and Plaintiff came on to be heard August 24, 2005.

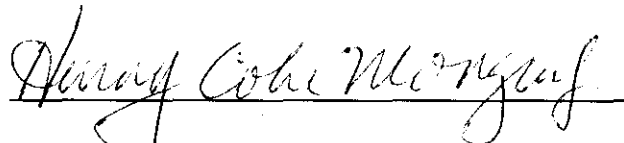
At the hearing, the Court GRANTED Plaintiff's Motion and took Defendants' Motion UNDER ADVISEMENT. Defendant's Motion is held under advisement to allow Plaintiff to take

jurisdictional discovery as described herein: Plaintiff will be allowed sixty (60) days from the date of the hearing to take discovery concerning the relationship between Plasser & Theurer, Franz Plasser, and Plasser American; interrogatories are to be answered within fifteen (15) days of their receipt by counsel; such answers may be made by facsimile or email, with a signed hard-copy to follow.

No later than sixty (60) days from the date of the hearing, counsel for both Plaintiff and Defendants will contact the Court to obtain the first available date for Defendants' Motion to be revisited.

The Clerk is **REQUESTED** to send a copy of this order to all counsel of record.

It is so **ORDERED**.



HENRY COKE MORGAN, JR.
SENIOR UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
August 29, 2005

*copies mailed
8/30/05 JC*